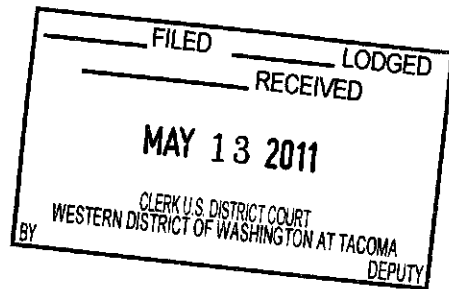


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7 10-CV-05753-M

8
9 **UNITED STATES DISTRICT COURT FOR THE**
10 **WESTERN DISTRICT OF WASHINGTON STATE (TACOMA)**
11

12 Ursula U. Schanne, Gerard H. Moore,
13 Plaintiff,
14 vs.
15 Nationstar Mortgage LLC,
16 Defendant.

CASE NO.: CV-10-5753-BHS
Request for Judicial Notice
in Support of:
Extension of Time to File Initial
Disclosures and Joint Status Report

17 **Notice To Court of Haines v. Kerner**

18 I, Ursula U. Schanne and Gerard H. Moore, Plaintiff, without assistance of counsel, and
19 instructs this honorable court to take judicial notice to look to the subject and not form of
20 Plaintiff's proceedings and pleadings and to give liberal considerations in this matter, and if
21 pleadings are deficient, give instruction of how pleadings are deficient and how to repair
22 pleadings, as Respondent is unskilled in the law. See *Haines v. Kerner*, 404 US 519 through 421
23 (1972); *Boag v. MacDougall*, 454 US 364 (1982); *Platsky v. CIA*, 953 F.2d 25, 26, 28 (2nd Cir. 1991);
24 and *Anastasoff v. United States*, 223 F.3d 898 (8th Cir. 2000).

25 In this original "Request for Judicial Notice in Support of: Extension of Time to File Initial
26 Disclosures and Joint Status Report" and hereby gives notice as an offer of Evidence under ER
27 103 and an offer of proof under ER 103(2) by Mandatory Judicial Notice under ER 201(d)(e)(f)
28 respectfully gives notice in the above captioned matter and states;

29 Plaintiff are competent to state to the matters included in this "Request for Judicial Notice
30 in Support of: Extension of Time to File Initial Disclosures and Joint Status Report", has
31

1 knowledge of the facts, and hereby declares that to the best of Plaintiff's knowledge, the
2 statements made herein are true and correct.

3 **Request for Judicial Notice**

4 NOTICE TO ALL PERSONS, known and unknown and all other concerned parties:

5 The Plaintiff's in this case, requests that the Court take judicial notice of a docket and
6 certain filings the parties have made in another case that is directly related to this one. These
7 documents, copies of which are attached hereto as Exhibits A and B, to wit, substantiate facts
8 of which the Court may take judicial notice pursuant to Federal Rule of Evidence 201. Rule 201
9 allows the federal courts to take notice of matters of record in other court proceedings "both
10 within and without the federal judicial system, if those proceedings have a direct relation to
11 matters at issue." *United States ex rel. Robinson Rancheria Citizens Council v. Borneo*, 971 F.2d 244,
12 248 (9th Cir. 1992) (internal citation omitted); *see also Reyn's Pasta Bella, LLC v. Visa USA, Inc.*,
13 442 F.3d 741, 746, fn. 6 (9th Cir. 2006); *Bennett v. Medtronic, Inc.*, 285 F.3d 801, 803 (9th Cir. 2002)
14 (judicial notice taken of amended complaint in another court); *Mullis v. U.S. Bankruptcy Court*
15 *for Dist. of Nevada*, 828 F.2d 1385, 1388 n.9 (9th Cir. 1987) (judicial notice taken of documents
16 filed in bankruptcy court). Rule 201 mandates that a federal court take judicial notice "if
17 requested by a party and supplied with the necessary information." Fed. R. Evid. 201(d).
18 "Judicial notice may be taken at any stage of the proceeding." Fed. R. Evid 201(f). Plaintiff asks
19 the Court to take judicial notice of a docket and docketed filings in the matter that is directly
20 related to the present truth and lending case.
21

22 First, Plaintiff submits the "Order of Discharge", and closed 3/21/2011, From the UNITED
23 STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF WASHINGTON STATE
24 (TACOMA). Case No. 10-bk-50063 Chapter 7. (Attached hereto as Exhibit A). Second, Plaintiff
25 submits "Summary of Schedules" Including but not limited to "Schedule F – Creditors
26 Holding Unsecured Non Priority Claims". (Attached hereto as Exhibit B). To wit,
27 NATIONSTAR MORTGAGE, LLC is included therein. These documents illuminate matters
28 that are "not subject to reasonable dispute," and substantiate facts "capable of accurate and
29 ready determination by resort to sources whose accuracy cannot reasonably be questioned."
30 Fed. R. Evid. 201. Accordingly, Plaintiff asks the Court to grant its Request for Judicial Notice.
31

Motion for Extension of Time to File Initial Disclosures and Joint Status Report

I, Ursula U. Schanne and Gerard H. Moore, Plaintiff, in the above captioned case, hereby gives notice;

1. Identity of Moving Party

Ursula U. Schanne and Gerard H. Moore, Plaintiff, asks the court for the relief designated in Part 2.

2. Statement of Relief Sought

An Order granting Plaintiff 's Motion for Extension of Time of at least sixty (60) days to complete Initial Disclosures and Joint Status Report to cite to the record. Plaintiff believes that the outcome of this cause of action will be in the Plaintiff, the court, and the public's interest.

3. Plaintiff's Argument

Ursula U. Schanne and Gerard H. Moore, Plaintiff, respectfully requests a continuance for filing its Initial Disclosures and Joint Status Report as Plaintiff's forward action and attention in this matter, entered "a stay", as it were, whilst impeded by the one-hundred-twenty (120) day bankruptcy action taken in the UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF WASHINGTON STATE (TACOMA). Case No. 10-bk-50063. Chapter 7.

Additionally health issues arose for the Plaintiff, which hindered aforementioned forward action and attention in this matter, Plaintiff respectfully request the court to grant an extension of time.

4. Conclusion

The plaintiff will need an extension of at least sixty (60) days to complete Initial Disclosures and Joint Status Report to cite to the record.

I the undersigned Secured Party Plaintiff being duly sworn on oath or affirmation that all the information and statements in this Instrument are true, correct, complete, with first hand knowledge under penalty of perjury pursuant to the organic Law of The People of Washington State. All statements made herein are made in good faith and in the interest of justice.

Case No. CV-10 5753 BHS

Exhibit List

Plaintiffs' Request for Judicial Notice

in Support of:

**Extension of Time to File Initial Disclosures and Joint Status
Report**

- 1. Exhibit "A" – Order of Discharge (TOTAL 12 PAGES)**
- 2. Exhibit "B" – Summary of Schedules, Including "Schedule F" (TOTAL 4 PAGES)**